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| 23117 7590 03/19/2008 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203 | | | | |
| EXAMINER | | | | |
| BEATCH, THOMAS A | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/565,436

Applicant(s)

SKOGERBO, PAL

Examiner

THOMAS A. BEACH

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 13-14 are objected to because of the following informalities: the phrase "Use of system" and "Use" are improper attempts at hybrid method claims where the "system" claims have been considered apparatus type claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakona et al 5,056,031 or Shimada 4,888,707. Nakona and Shimada system for controlling the movements of objects in an automated or remote operated system comprising independent transporting means for moving a number of objects relative to each other, the system being providing with means for controlling the position and velocity of the objects relative to each other, wherein each object is related to a defined geometric shape related to the object positions having dimensions corresponding to or exceeding the physical dimensions of the object in all directions, and also defining a critical allowed distance between the defined geometric shapes (figures 5-12; figures 2-8, respectively).

As concerns claim 2, Nakona and Shimada show the dimensions of the geometric shape corresponds to the size of the object.

As concerns claim 3, Nakona and Shimada show critical distance is dependent on the relative movement between the objects.

As concerns claim 4, Nakona and Shimada show the critical distance between two geometric shapes moving toward each other corresponds to the braking distance for each corresponding object plus a chosen additional distance.

As concerns claim 5, Nakona and Shimada show the objects and corresponding geometric shapes are adapted to be rotatable.

As concerns claim 6, Nakona and Shimada show the geometric shape is rectangular.

As concerns claim 7, Nakona and Shimada show the method for avoiding collisions between automatically controlled or remote operated objects having variable positions and movements relative to each other said positions and movements being controlled by a control system, comprising assigning a geometric shape to each object, said geometric shape corresponding to or exceeding the dimensions of the corresponding object, the geometric shape thus occupying a space corresponding to or exceeding the space occupied by the object, and defining a critical minimum distance between said geometrical shapes.

As concerns claim 8, Nakona and Shimada show the dimensions of the geometric shape corresponds to the size of the object.

As concerns claim 9, Nakona and Shimada show critical distance is dependent on the relative movement between the objects.

As concerns claim 10, Nakona and Shimada show the critical distance between two geometric shapes moving toward each other corresponds to the braking distance for 10 each corresponding object plus a chosen additional distance.

As concerns claim 11, Nakona and Shimada show the objects and corresponding geometric shapes are adapted to be rotatable.

As concerns claim 12, Nakona and Shimada show the geometric shape is rectangular.

4. Claims 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Stark 4,578,757. Stark shows the method for avoiding collisions between automatically controlled or remote operated objects having variable positions and movements relative to each other said positions and movements being controlled by a control system, comprising assigning a geometric shape to each object, said geometric shape corresponding to or exceeding the dimensions of the corresponding object, the geometric shape thus occupying a space corresponding to or exceeding the space occupied by the object, and defining a critical minimum distance between said geometrical shapes.

As concerns claim 8, Stark shows the dimensions of the geometric shape corresponds to the size of the object.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakona et al 5,056,031 or Shimada 4,88,707 in view of Krueger 4,621,974. Nakona and Shimada do not show an on offshore installations for handling pipes in drilling operations or on a drill rig, wherein said objects corresponds to means for storing, moving and/or installing equipment in the installations. However, Kreuger shows a similar offshore installations (col 2, lines 47+), especially for handling pipes in drilling operations or on a drill rig (fig 2-1), wherein said objects corresponds to means for storing, moving and/or installing equipment in the installations with means to control racking that prevent collisions (fig 1, 8, 19 & 20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nakona and Shimada, as taught by Krueger, to include the control system on an offshore rig for the expected result of improved accuracy and safety.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Beach

/Thomas A Beach/
Primary Examiner, Art Unit 3671

March 20, 2008

THOMAS A. BEACH
Primary Examiner
Group 3600